

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 59503

Roger Courtright  
Pamela Ann Swink

7703 Eastdale Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on December 30, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 13-4-201 (b)(d), failure to remove all junk, trash and debris, failure to store trash in cans with tight fitting lids on residential property known as 7703 Eastdale Road, 21222.

On December 14, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Buc Thompson issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Civil penalties of \$500.00, \$100.00, and \$1,000.00 have been imposed on Respondents during 2009 for Code Enforcement Citations, because of their failure to remove rat infestation and failure to remove all junk, trash and debris from this residential property. This Citation was issued on December 14, 2009.

B. Photographs in the file taken November 17, 2009, December 14, 2009, and December 18, 2009 all show trash and garbage on the ground in the rear yard and in the alley along the rear fence. Additional junk and debris is visible in the rear yard. Garbage and trash is visible in garbage cans with no lids. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. Respondents must properly store garbage in cans with tight fitting lids, and must remove all junk, trash and debris from their yard. Respondents may not pile trash or garbage in the alley.

C. As noted in the previous Final Orders, review of the file shows this property has required code enforcement activity for similar violations and for rat infestations each year since 2002. An additional civil penalty will be imposed, and re-inspections will continue until the property is maintained in compliance with code requirements. If the violations are not corrected, Respondents will be subject to additional Citation with possible civil penalties.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14<sup>th</sup> day of January 2010.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf